

1
2
3
4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

6 * * *

7 AMIDA ANAYA,

8 Plaintiff,

9 v.

10 COSTCO WHOLESALE CORPORATION,

11 Defendant.

Case No. 2:19-cv-00867-JAD-BNW

12 **REPORT AND RECOMMENDATION**

13 This matter is before the court on pro se plaintiff Amida Anaya's repeated failure to
14 comply with the court's orders.

15 Previously, the court granted Anaya's former attorney's motion to withdraw and ordered
16 Anaya to file a written notice stating whether she intends to represent herself in this case. (ECF
17 No. 19.) Anaya's deadline for filing the written notice was October 18, 2019. (*Id.*) Anaya did not
18 comply with this deadline.

19 The court subsequently ordered Anaya to file a notice stating whether she intends to
20 represent herself by December 2, 2019. (ECF No. 21.) In that order, the court explained that a
21 failure to comply with the court's order would result in the issuance of an order to show cause.
22 (*Id.*) Anaya did not comply with this deadline.

23 Accordingly, on February 12, 2020, the court ordered Anaya to show cause why sanctions
24 should not be imposed for failure to comply with the court's orders. (ECF No. 26.) The court
25 gave Anaya until March 13, 2020 to respond to this order. (*Id.*) The court also advised Anaya that
26 a failure to respond to the court's order would result in a recommendation to the district judge that
27 this case be dismissed for failure to prosecute. (*Id.* at 2.) Anaya did not comply with this order
28

1 and has not filed any documents in her case since her attorney withdrew. She appears to have
2 abandoned this case.

3 IT IS THEREFORE RECOMMENDED that Plaintiff Amida Anaya's case be dismissed
4 without prejudice.

5 IT IS FURTHER RECOMMENDED that Defendant's Motion for Summary Judgment
6 (ECF No. 23) be DENIED as moot in light of this court's recommendation that the case be
7 dismissed.

8 **NOTICE**

9 This report and recommendation is submitted to the United States district judge assigned
10 to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation
11 may file a written objection supported by points and authorities within fourteen days of being
12 served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely
13 objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d
14 1153, 1157 (9th Cir. 1991).

15
16 DATED: March 24, 2020

17
18 
19 BREND A WEKSLER
20 UNITED STATES MAGISTRATE JUDGE
21
22
23
24
25
26
27
28